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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/589,052
	Filing Date	August 10, 2006
	First Named Inventor	Kambiz Shekdar et al.
	Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	CHROMO/003

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement with cited references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08a Copies of 24 Cited Documents Return Postcard
<b>Remarks</b> The Director is hereby authorized to charge payment of any fees which may be required, or credit or over payment, to Deposit Account No. 06-1075, Order No. 002298-0003. A duplicate copy of this letter is transmitted herewith.		

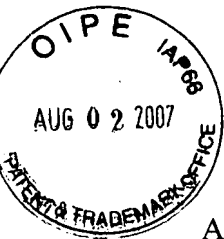
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Firm Name	Customer Number 1473	
Signature	<i>Jane T. Gunnison</i>	
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CHROMO/003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kambiz Shekdar et al.  
Application No. : 10/589,052  
Filed : August 10, 2006  
For : METHODS AND MATERIALS USING SIGNALING PROBES  
Group Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned

New York, New York 10036  
August 2, 2007

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants hereby make the following documents of record in the above-identified patent application:\*

U.S. Patent Documents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Applicant</u>
5,641,675	06/24/1997	Singer et al.
5,858,649	01/12/1999	Asgari et al.
5,866,336	02/02/1999	Nazarenko et al.
5,925,517	07/20/1999	Tyagi et al.
6,037,130	03/14/2000	Tyagi et al.

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\* A completed Form PTO/SB/08a listing these documents is attached hereto.

U.S. Patent Documents

6,203,986	03/20/2001	Singer et al.
6,391,593	05/21/2002	Weston et al.
6,485,901	11/26/2002	Gildea et al.
6,534,274	03/18/2003	Becker et al.
6,589,743	07/08/2003	Sorge
6,692,965	02/17/2004	Shekdar et al.
6,743,581	06/01/2004	Vo-Dinh
7,132,241	11/07/2006	Ishibashi et al.

Foreign Patent Documents

<u>Publication No.</u>	<u>Publication Date</u>	<u>Applicant</u>
CA 2,202,549	04/25/1996	Seshadri et al.
EP 0 745 690	12/04/1996	Tyagi et al.
WO 00/31302	06/02/2000	Ecker
WO 00/62063	10/19/2000	Su
WO 02/051988	07/04/2002	Blackburn et al.
WO 02/06524	01/24/2002	Wiebusch et al.
WO 02/29117	04/11/2002	Polizzi
WO 03/048346	06/12/2003	Burgess et al.
WO 91/07660	05/30/1991	Bianchi

U.S. Published Documents

<u>Publication No.</u>	<u>Publication Date</u>	<u>Applicant</u>
2001/0009760 A1	07/26/01	Horn et al.
2002/0090614 A1	07/11/02	Zhang et al.
2003/0032024 A1	02/13/03	Lizardi
2003/0059786 A1	03/27/03	Ward et al.

Other Documents

Babinet et al., "Transgenic mice," Genome, Vol. 31, pp. 938-949 (1989).

Gagneten et al., "Brief Expression of GFP *cre* Fusion Gene in Embryonic Stem Cells Allows Rapid Retrieval of Site-Specific Genomic Deletions," Nucleic Acids Research, Vol. 25, pp. 3326-3331 (1997).

Kitazawa et al., "In Situ DNA-RNA Hybridization Using In Vivo Bromodeoxyuridine-Labeled DNA Probe," Histochemistry, Vol. 92, pp. 195-199 (1989).

Leone et al., "Molecular Beacon Probes Combined with Amplification by NASBA Enable Homogeneous, Real-Time Detection of RNA," Nucleic Acids Research, Vol. 26, No. 9, pp. 2150-2155 (1998).

Li et al., "Molecular Beacon-Based Homogeneous Fluorescence PCR Assay for the Diagnosis of Infectious Diseases," Analytical Sciences, Vol. 16, pp. 245-248 (2000).

Martone et al., "Subcellular Localization of mRNA in Neuronal Cells," Molecular Neurobiology, Vol. 18, pp. 227-246 (1998).

Matsuo, "In Situ Visualization of Messenger RNA for Basic Fibroblast Growth Factor in Living Cells," Biochimica et Biophysica Acta, 1379, pp. 178-184 (1998).

Pennline et al., "Detection of In Vivo-Induced IL-1 mRNA in Murine Cells by Flow Cytometry (FC) and Fluorescent In Situ Hybridization (FISH)," Lymphokine and Cytokine Research, Vol. 11, No. 1, pp. 65-71 (1992).

Phillips et al., "Antisense RNA Amplification: A Linear Amplification Method for Analyzing the mRNA Population from Single Living Cells," METHODS: A Companion to Methods in Enzymology, Vol. 10, No. 3, pp. 283-288 (1996).

Sixou et al., "Intracellular Oligonucleotide Hybridization Detected by Fluorescence Resonance Energy Transfer (FRET)," Nucleic Acids Research, Vol. 22, No. 4, pp. 662-668 (1994).

Sokol et al., "Real Time Detection Of DNA-RNA Hybridization In Living Cells," PROC. NATL. ACAD. SCI. USA, Vol. 95, pp. 11538-11543 (1998).

Tan et al., "Molecular Beacons: A Novel DNA Prode for Nucleic Acid and Protein Studies" Chem. Eur., Vol. 6, pp1107-1111 (2000).

Tsuji et al., "Direct Observation of Specific Messenger RNA in a Single Living Cell under a Fluorescence Microscope," Biophysical Journal, Vol. 78, pp. 3260-3274 (June 2000).

Tyagi et al., "Multicolor Molecular Beacons for Allele Discrimination," Nature Biotechnology, Vol. 16, pp. 49-53 (1998).

Tyagi et al., "Molecular Beacons: Probes that Fluoresce Upon Hybridization," Nature Biotechnology, Vol. 14, pp. 303-308 (1996).

Pursuant to 37 C.F.R. § 1.98, applicants have not enclosed copies of the U.S. patents and patent publications listed above. Copies of all other documents are enclosed.

Applicants respectfully request that these documents be: (1) fully considered by the Examiner during the examination of this application; and (2) printed on any patent that may issue from this application. Applicants request that a copy of the enclosed Form PTO/SB/08a, as considered and initialed by the Examiner, be forwarded to the undersigned with the next communication.

This Statement is submitted more than three months after the application filing date but before the mailing date of a first office action on the merits. In accordance with 37 C.F.R. § 1.97(b)(3), submission of this Information Disclosure Statement requires no fee. However, if for any reason a fee is due in connection with this Statement, the Director is hereby authorized to charge payment of the required fee to Deposit Account No. 06-1075 (Order No. 002298-0003).

An early and favorable action is respectfully requested.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)

Attorney for Applicants

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/589,052
Filing Date	August 10, 2006
First Named Inventor	Kambiz Shekdar et al.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	CHROMO/003

Sheet

1

of

4

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		5,641,675	06/24/1997	Singer et al.	
		5,858,649	01/12/1999	Asgari et al.	
		5,866,336	02/02/1999	Nazarenko et al.	
		5,925,517	07/20/1999	Tyagi et al.	
		6,037,130	03/14/2000	Tyagi et al.	
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		6,391,593	05/21/2002	Weston et al.	
		6,485,901	11/26/2002	Gildea et al.	
		6,534,274	03/18/2003	Becker et al.	
		6,589,743	07/08/2003	Sorge	
		6,692,965	02/17/2004	Shekdar et al.	
		6,743,581	06/01/2004	Vo-Dinh	
		7,132,241	11/07/2006	Ishibashi et al.	

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		WO 00/62063	10/19/2000	Su	
		WO 02/051988	07/04/2002	Blackburn et al.	
		WO 02/06524	01/24/2002	Wiebusch et al.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/589,052		
		Filing Date	August 10, 2006		
		First Named Inventor	Kambiz Shekdar et al.		
		Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
Sheet	2	of	4	Attorney Docket Number	CHROMO/003

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		WO 02/29117	04/11/2002	Polizzi	
		WO 03/048346	06/12/2003	Burgess et al.	
		WO 91/07660	05/30/1991	Bianchi	

**US PUBLICATION DOCUMENTS**

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		2001/0009760 A1	07/26/01	Horn et al.	
		2002/0090614 A1	07/11/02	Zhang et al.	
		2003/0032024 A1	02/13/03	Lizardi	
		2003/0059786 A1	03/27/03	Ward et al.	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BABINET et al., "Transgenic mice," Genome, Vol. 31, pp. 938-949 (1989).	
		GAGNETEN et al., "Brief Expression of GFP cre Fusion Gene in Embryonic Stem Cells Allows Rapid Retrieval of Site-Specific Genomic Deletions," Nucleic Acids Research, Vol. 25, pp. 3326-3331 (1997).	
		KITAZAWA et al., "In Situ DNA-RNA Hybridization Using In Vivo Bromodeoxyuridine-Labeled DNA Probe," Histochemistry, Vol. 92, pp. 195-199 (1989).	

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First Named Inventor	Kambiz Shekdar et al.
Art Unit	Not Yet Assigned
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Sheet 3 of 4

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		LEONE et al., "Molecular Beacon Probes Combined with Amplification by NASBA Enable Homogeneous, Real-Time Detection of RNA," Nucleic Acids Research, Vol. 26, No. 9, pp. 2150-2155 (1998)	
		LI et al., "Molecular Beacon-Based Homogeneous Fluorescence PCR Assay for the Diagnosis of Infectious Diseases," Analytical Sciences, Vol. 16, pp. 245-248 (2000).	
		MARTONE et al., "Subcellular Localization of mRNA in Neuronal Cells," Molecular Neurobiology, Vol. 18, pp. 227-246 (1998).	
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		PENNLIN et al., "Detection of In Vivo-Induced IL-1 mRNA in Murine Cells by Flow Cytometry (FC) and Fluorescent In Situ Hybridization (FISH)," Lymphokine and Cytokine Research, Vol. 11, No. 1, pp. 65-71 (1992)	
		PHILLIPS et al., "Antisense RNA Amplification: A Linear Amplification Method for Analyzing the mRNA Population from Single Living Cells," METHODS: A Companion to Methods in Enzymology, Vol. 10, No. 3, pp. 283-288 (1996).	
		SIXOU et al., "Intracellular Oligonucleotide Hybridization Detected by Fluorescence Resonance Energy Transfer (FRET)," Nucleic Acids Research, Vol. 22, No. 4, pp. 662-668 (1994).	
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		TAN et al., "Molecular Beacons: A Novel DNA Probe for Nucleic Acid and Protein Studies" Chem. Eur., Vol. 6, pp1107-1111 (2000).	
		TSUJI et al., "Direct Observation of Specific Messenger RNA in a Single Living Cell under a Fluorescence Microscope," Biophysical Journal, Vol. 78, pp. 3260-3274 (June 2000).	

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